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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

Marvin Mencias-Mejia, an individual,

Plaintiff,

vs.

Robert William San Inocenio, an individual; C.R.
England, Inc., a Foreign Corporation; Does 1 through
10, inclusive; and Roe Business Entities 1 through
10, inclusive.

Defendant.

Case No.: 2:24-cv-381

**Stipulation and Order to Extend
Discovery (1st Request)**

I. Summary of Discovery Completed

The case was removed on February 26, 2024.¹ By March 18, 2024, Plaintiff and C.R. England stipulated that C.R. England's driver was 1) negligent; 2) while in the course and scope of employment with the company.² This narrowed the scope of discovery, and the driver was then dismissed from the case.

Both parties have served FRCP 26(a)(1) disclosures, C.R. England on March 28, 2024 and Plaintiff on April 24, 2024. C.R. England served interrogatories and requests for production to Plaintiff on April 11, 2024 that Plaintiff then answered on May 6, 2024. Plaintiff's responses to requests for production provided medical authorizations to C.R. England for the first time.

II. Discovery Remaining

C.R. England is now using Plaintiff's medical records to independently pursue medical records from his providers. Plaintiff also quantified an income loss for the first time in his discovery

¹ ECF No. 1.

² ECF No. 11.

1 responses. C.R. England will now subpoena Plaintiff's employer for information about Plaintiff's
2 work. C.R. England plans to subpoena the truck stop where this accident occurred to see if it has
3 information related to this event.

4 This work is necessary before C.R. England can then evaluate when to depose Plaintiff. It
5 also affects which damages experts might be necessary for this case. Presumably after expert
6 disclosures there might also be expert depositions.


7 **III. Why the Remaining Discovery Could not be Completed**

8 When the case was first removed, the parties focused on trying to narrow the scope of
9 discovery. That resulted in the stipulation as to duty, breach, and dismissing the driver. Once the
10 scope of discovery was established, C.R. England then served discovery to Plaintiff. Plaintiff
11 needed time to prepare his discovery responses and provide the authorizations C.R. England is
12 now using to pursue records.

13 The current discovery deadlines could not be met because the parties worked
14 collaboratively to focus the case before then starting to pursue the information needed for the
15 remaining disputed points.

16 **IV. Proposed Schedule for Completing All Remaining Discovery**

	Current Deadline	Proposed Deadline
Amending Pleadings and Adding Parties	April 26, 2024	No change
Initial Expert Disclosures	May 28, 2024	August 28, 2024
Rebuttal Expert Disclosures	June 25, 2024	September 27, 2024
Discovery Closes	August 5, 2024	October 28, 2024
Dispositive Motions	September 4, 2024	November 28, 2024
Pre-Trial Order if no Dispositive Motions	September 23, 2024	December 27, 2024

 <u>/s/ Michael P. Lowry</u> Michael P. Lowry Nevada Bar No. 10666 Attorneys for C.R. England, Inc.	RALPH A. SCHWARTZ, P.C. <u>/s/ Ralph A. Schwartz</u> Ralph A. Schwartz Nevada Bar No. 5488 Attorneys for Marvin Mencias-Mejia
	It is so ordered. <u>/s/</u> UNITED STATES MAGISTRATE JUDGE

Certificate of Service

Pursuant to FRCP 5, I certify on May 15, 2024, I served **Stipulation and Order to Extend Discovery (1st Request)** as follows:

- ☒ by placing same to be deposited for mailing in the United States Mail, in a sealed envelope upon which first class postage was prepaid in Las Vegas, Nevada;
- ☐ via electronic means by operation of the Court's electronic filing system, upon each party in this case who is registered as an electronic case filing user with the Clerk;

Ralph A. Schwartz, P.C. 400 S. 7th St., Suite 100 Las Vegas, NV 89101 Attorneys for Plaintiff	
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BY: /s/ Jillian Forrest
An Employee of



IT IS SO ORDERED

DATED: 8:56 am, May 17, 2024



BRENDA WEKSLER
UNITED STATES MAGISTRATE JUDGE